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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	No. CR 09 0850 VRW
	)	
Plaintiff,	)	STIPULATION AND <del>PROPOSED</del>
	)	ORDER EXCLUDING TIME UNDER
v.	)	SPEEDY TRIAL ACT
	)	
PASQUALE IANNETTI,	)	
	)	
Defendant.	)	

The parties appeared before the Court on September 17, 2009 for initial appearance on this matter. With the agreement of counsel for both parties, the Court finds and holds as follows:

1. The parties requested, and the Court granted, a continuance of the matter to November 12, 2009 at 2:00 p.m. for status. Defense counsel advised the Court that in light of the complexities of the case, the additional time was necessary for effective preparation, taking into account due diligence. Specifically, defense counsel advised the Court that investigating the allegations may require interviewing witnesses abroad, as well as witnesses living in the United States, but outside the Northern District of California, and having experts examine the pieces of art that are the subject of the indictment. In addition, counsel advised that Italian authorities are

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1 considering filing criminal charges against the defendant based on the same conduct alleged in  
2 the instant indictment. The defendant has retained counsel in Italy to deal with those matters.  
3 Finally, counsel advised that the defendant is scheduled to have hip replacement surgery in early  
4 October.

5 2. The parties agreed to an exclusion of time under the Speedy Trial Act from September  
6 17, 2009 through November 12, 2009 in light of the complexities posed by this case and the need  
7 for sufficient time for effective preparation. Failure to grant the requested continuance would  
8 unreasonably deny defense reasonable time necessary for effective preparation, taking into  
9 account the exercise of due diligence.

10 3. Given the circumstances cited in paragraph 1, above, including the complexities of the  
11 nature of the charges and the fact that the defendant faces potential criminal prosecution in  
12 another country for the same conduct, the Court finds that the case is so unusual and complex  
13 that it is unreasonable to expect adequate preparation for pretrial proceedings or for trial itself  
14 within the time limits established by the Speedy Trial Act. Accordingly, the Court finds that the  
15 ends of justice served by excluding the period from September 17, 2009 through November 12,  
16 2009, outweigh the best interest of the public and the defendant in a speedy trial. 18 U.S.C.  
17 § 3161(h)(7)(A) & (B)(ii). Accordingly, and with the consent of the defendant, the period from

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September 17, 2009 through November 12, 2009 shall be excluded from Speedy Trial Act calculations under 18 U.S.C. § 3161(h)(7)(A) & (B)(ii).

SO STIPULATED.

Dated: September 18, 2009

JOSEPH P. RUSSONIELLO  
United States Attorney

/s/

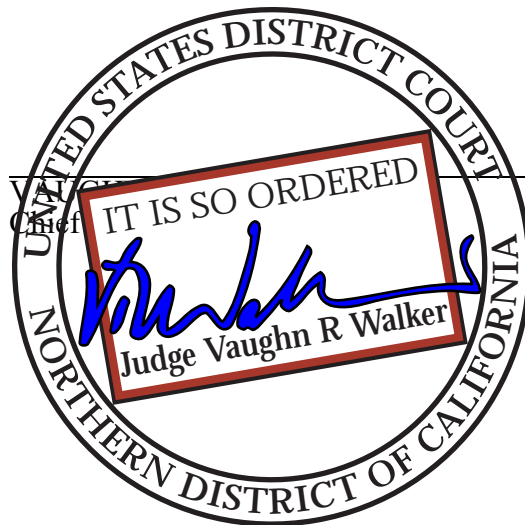
SUSAN E. BADGER  
Assistant United States Attorney

Dated: September 18, 2009

/s/  
ALAN DRESSLER  
Counsel for Defendant Pasquale Iannetti

IT IS SO ORDERED.

Dated: 9/23/2009



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